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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

1046.1254

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on December 15, 2008

Signature

Typed or printed name Aaron C. Walker

Application Number

09/864,268

Filed

May 25, 2001

First Named Inventor

Takuma SUDO

Art Unit

2628

Examiner

Ryan R. YANG

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒

attorney or agent of record.

Registration number 59,921☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

Signature

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Typed or printed name

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Telephone number

December 15, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐

*Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: 1046.1254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

Takuma SUDO et al.

Serial No. 09/864,268

Group Art Unit: 2628

Confirmation No. 3194

Filed: May 25, 2001

Examiner: Ryan R. YANG

For: EVENT-FOR-CHANGE ORIENTED INFORMATION DISPLAY METHOD AND
INFORMATION PROCESSING SYSTEM USING THE SAME METHOD

PRE-APPEAL BRIEF CONFERENCE REQUEST

Mail Stop AF

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal and the requisite fee.

If there are any additional fees associated with filing of this Request, please charge the same to our Deposit Account No. 19-3935.

REMARKS

Claims 1-38 and 40-41 are pending and under consideration. Claims 1, 11-12, 22-23, 33-34, 36, and 41 are the independent claims.

A pre-appeal brief panel review of the identified appealable issue I discussed below is requested.

I. The cited prior art, alone or in combination, does not teach all of the recited features of the claims and the Examiner's proposed modification of the prior art actually teaches away from the claimed invention

In the final Office Action mailed September 15, 2008, independent claims 1, 12, 23, 34, and 36 were rejected under 35 USC § 103(a) as being unpatentable over Okishima (U.S. Patent No. 5,659,333) in view of Kurashina (U.S. Patent No. 6,297,836) and further in view of Kiyoshi (JP 2000-172403).

The Examiner acknowledges, at pages 3-4 of the Office Action, that the combination of Okishima and Kurashina does not disclose "providing at least one of a first newly displayed line in a direction of the manipulation and a first newly displayed column in a direction of the manipulation within the predetermined display area which the display attributes of the plurality of elements structuring the information are not changed." Therefore, it is submitted that the combination of Okishima and Kurashina do not discuss or suggest

providing at least one of a first newly displayed line in a direction of the manipulation and a first newly displayed column in a direction of the manipulation within the predetermined display area in which the display attributes of the plurality of elements structuring the information are not changed,

as recited in claim 1. The Examiner attempts to make up for this deficiency with Kiyoshi. However, the applicants respectfully submit that Kiyoshi fails to make up for this deficiency because Kiyoshi does not discuss or suggest:

providing at least one of a first newly displayed line in a direction of the manipulation and a first newly displayed column in a direction of the manipulation within the predetermined display area in which the display attributes of the plurality of elements structuring the information are not changed,

as recited in claim 1. As recited, claim 1 provides for a first newly displayed line and/or a first newly displayed column, which is/are the leading line and/or leading column in the direction of manipulation of the display area, to remain unchanged during the manipulation.

In this manner, the invention of claim 1 provides for better recognition of elements newly entering the display area when scrolling occurs in any given direction. Kiyoshi, as relied on by the Examiner, merely shows that a portion of a display area may retain a full size during a scrolling process. However, Kiyoshi does not provide for retaining the display attributes of a first newly displayed and/or a first newly displayed in the direction of scrolling. For example, Fig. 16 of Kiyoshi, as relied on by the Examiner, shows a display area 3 in the center of the screen that is displayed at full size. The Examiner states that area 3 is considered at least one of a first newly displayed line and/or column. However, the applicants cannot accept the Examiner's reading of Fig. 16 because display area 3 is not a first newly displayed line or a first newly displayed column. Depending on a direction of scrolling, only areas 1 and 5 could possibly be considered first newly displayed lines and/or columns. However, display areas 1 and 2, shown going off of the screen, and display areas 4 and 5, newly appearing on the screen, are actually progressively scaled down. Thus, Kiyoshi actually teaches away from the invention of claim 1, which provides for a first newly displayed line and/or a first newly displayed column in the direction of manipulation of the display area, to remain unchanged during the manipulation.

Furthermore, it is noted that the Examiner has relied solely on the illustration in Fig. 16 of Kiyoshi for teaching the feature of claim 1 discussed above and has not indicated a portion of the specification that supports his reading of Kiyoshi in which area 3 is considered at least one of a first newly displayed line and/or column.

Since none of Okishima, Kurashina, or Kiyoshi, or any combination thereof, discuss or suggest all of the features of claim 1, claim 1 patentably distinguishes over Okishima, Kurashina, and Kiyoshi.

None of Okishima, Kurashina, or Kiyoshi, or any combination thereof, discuss or suggest "at least one of a first newly displayed line in a direction of the manipulation and a first newly displayed column in a direction of the manipulation within the predetermined display area in which the display attributes of the plurality of elements structuring the information are not changed," as recited in claim 12.

None of Okishima, Kurashina, or Kiyoshi, or any combination thereof, discuss or suggest "providing at least one of a first newly displayed line in a direction of the manipulation and first newly displayed column in a direction of the manipulation within the predetermined display area in which the display attributes of the plurality of elements structuring the information are not changed," as recited in claim 23.

None of Okishima, Kurashina, or Kiyoshi, or any combination thereof, discuss or suggest “providing at least one of a first newly displayed line in a direction of the manipulation or a first newly displayed column in a direction of the manipulation within the predetermined display area wherein the attribute of the text is not changed,” as recited in claim 34.

None of Okishima, Kurashina, or Kiyoshi, or any combination thereof, discuss or suggest “providing at least one of a first newly displayed line in a scrolling direction or a first newly displayed column in a scrolling direction within the display in which the display attributes of characters structuring the document are not changed,” as recited in claim 36.

In the final Office Action mailed September 15, 2008, independent claims 11, 22, and 33 were rejected under 35 USC § 103(a) as being unpatentable over Bricklin et al. (U.S. Patent No. 5,848,187) in further view of Kiyoshi.

The Examiner acknowledges that Bricklin et al. does not disclose “providing at least one of a first newly displayed line or first newly displayed column within the predetermined display area in which the attribute of the information is not changed”. Therefore, Bricklin et al. does not discuss or suggest:

providing at least one of a first newly displayed line or first newly displayed column within the predetermined display area in which the attribute of the information is not changed,

as recited in claim 11. The Examiner attempts to make up for this deficiency with Kiyoshi.

However, as discussed above, Kiyoshi does not discuss or suggest:

providing at least one of a first newly displayed line or first newly displayed column within the predetermined display area in which the attribute of the information is not changed,

as recited in claim 11.

Bricklin et al. and Kiyoshi do not discuss or suggest “at least one of a first newly displayed line and a first newly displayed column within the predetermined display area in which the attribute of the plurality of elements structuring the information is not changed,” as recited in claim 22.

Bricklin et al. and Kiyoshi do not discuss or suggest “providing at least one of a first newly displayed line and first newly displayed column within the predetermined display area in which the attribute of the plurality of elements structuring the information is not changed,” as recited in claim 33.

The respective dependent claims also patentably distinguish over the cited prior art for the reasons discussed above with respect to their respective independent claims.

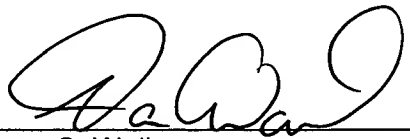
Finally, it is noted that the Examiner failed to address independent claim 41 in the final Office Action mailed September 15, 2008. However, it is respectfully submitted that none of the cited prior art, alone or in combination, discusses or suggests "providing at least one of a first newly displayed line in a direction of the manipulation and a first newly displayed column in a direction of the manipulation within the predetermined display area in which the display attributes of the plurality of elements structuring the information are not changed," as recited in claim 41.

If there are any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

Respectfully submitted,

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Date: 12-15-08

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